



## **PRIVACY NOTICE**

### **Adult Social Care – Adult Carer Support Plan (Unpaid Carers)**

#### **Who we are**

Moray Council, Council Office, High Street, Elgin, Moray, IV30 1BX, [moray.gov.uk](http://moray.gov.uk) 01343 543451, is a Local Authority established under the Local Government etc. (Scotland) Act 1994. We are the Data Controller of the personal data being collected.

#### **Why we are collecting your personal data**

We may receive a referral from any source, such as the NHS or the carer themselves. When you are referred to the Council as an adult carer, we will arrange for you to have an Adult Carer Support Plan (ACSP) put in place. This is usually carried out on our behalf, under contract by the [Carer Support Service \(Moray\)](#). You will be given a copy of your ACSP, and, a copy will be added to an electronic case management system, which will be kept up to date with any changes.

The personal data we will collect about you, to complete your ACSP, includes your:

- Name; email address; telephone number; date of birth; ethnicity and information about your health.

We may also collect personal data about the person(s) you care for, such as their:

- Name; age group; ethnicity; CareFirst number; details of where they live; whether they have had a care needs assessment and/or an occupational therapy assessment, and, information about their care needs, including any medical conditions.

Although every adult carer is entitled to an ACSP, you don't have to have one if you don't want to.

#### **Personal data you give us about other people**

If you have provided, or have been asked to provide, someone else's personal data for a specific purpose, for example to contact them in the event of an emergency, if reasonable to do so then please make sure that you have told them that you have given their personal data to us for this purpose.

#### **Our legal basis**

Whenever the Council processes personal data we need to make sure we have a legal basis for doing so. We understand the Council's legal bases in Data Protection law to be Article 6(1)(e) of the United Kingdom General Data Protection Regulation (UK GDPR) because your personal data is necessary for the performance of a task carried out in the public interest, and, Article 6(1)(c) - as the processing is necessary for the Council to comply with its legal obligations. Moray Council has a statutory duty under the Social Work (Scotland) Act 1968 to carry out needs assessments for people we think may require care services, and we have a general duty to promote social welfare by providing advice, guidance, and assistance. We also have a duty under the Carers (Scotland) Act 2016 to prepare Adult Carer Support Plans for unpaid carers.

Personal data that counts as 'special category data', such as data about health, ethnicity and religion, must satisfy extra conditions when processed. We understand our legal basis in data protection law for processing this special category data to be Article 9(2)(h) of the UK GDPR, as the processing is necessary for the provision of health or social care or treatment or the management of health or social care systems and services.

## Who we share this personal data with

Your personal data will be shared with the [Carer Support Service \(Moray\)](#) who are a commissioned service provider to carry this out on our behalf. We make sure that they process personal data appropriately through our contractual arrangements with them.

As part of our integrated working arrangements, the Council may share limited relevant information with the Scottish Government and NHS for the purposes of planning, delivering and monitoring services, and, to inform the strategic design of integrated services.

Personal data may be shared internally with authorised officers of the Council if having access to personal data is a necessary part of their roles to ensure records are accurate and up to date. It may also be shared with other relevant Council departments where applicable.

The Council may share this personal data with other relevant Council departments and third parties, where we are under a legal obligation to do so. For example this may be with Police, Social Security Scotland, UK Border Agency or other Registered Professional Bodies.

The Council is required by law to protect public funds against fraud. It may share personal data with other relevant Council departments and third parties responsible for auditing and administering public funds, or who otherwise have responsibility for preventing and detecting fraud.

## How long the personal data is held for

Your personal data will be securely stored by Moray Council for a pre-determined length of time. Information is only kept for the minimum amount of time necessary. We maintain a record retention schedule that sets out how long we retain different types of information. This is available on our website: [http://www.moray.gov.uk/moray\\_standard/page\\_92820.html](http://www.moray.gov.uk/moray_standard/page_92820.html) (under Section 5 of the Records Management Plan).

The Council stores information within the UK.

## Your rights

Moray Council is the Data Controller for this personal data. You have legal rights about the way the Council handles and uses your personal data. These include the right to ask for a copy of it, to ask us to correct it and to ask us to stop doing something with your personal data. As so far as the legislation permits, you also have the right to request the deletion of your data, and to object to the processing.

For more information about these rights, please see the Information Management pages on the Council's website here: [http://www.moray.gov.uk/moray\\_standard/page\\_41220.html](http://www.moray.gov.uk/moray_standard/page_41220.html). Alternatively, email the Council's Data Protection Officer at: [dataprotection@moray.gov.uk](mailto:dataprotection@moray.gov.uk)

You also have the right to make a complaint to the Information Commissioner's Office. They are the body responsible for making sure organisations like the Council handle your personal data lawfully.

### Information Commissioner's Office

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Telephone: 0303 123 1113      Website: <https://ico.org.uk/>